

FORM PTO-1390
(REV. 9-2001)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

108-085USAC00

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

n/a 10/009368

INTERNATIONAL APPLICATION NO.

PCT/US00/15624

INTERNATIONAL FILING DATE

07 June 2000

PRIORITY DATE CLAIMED

07 June 1999

TITLE OF INVENTION UNITARY PACKAGE IDENTIFICATION AND DIMENSIONING SYSTEM
EMPLOYING LADAR-BASED SCANNING METHODS

APPLICANT(S) FOR DO/EO/US

Zhu, Xiaoxun et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☒ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

DEC 07 2001

10009368.060302

JC07 PCT/PTO 07 DEC 2001

U.S. APPLICATION NO. (if known) 10009368

INTERNATIONAL APPLICATION NO.

PCT/US00/15624

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108-085USAC00

21. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**

Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO. **\$1040.00**

International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO **\$890.00**

International preliminary examination fee (37 CFR 1.482) not paid to USPTO
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO **\$740.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO
but all claims did not satisfy provisions of PCT Article 33(1)-(4) **\$710.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO
and all claims satisfied provisions of PCT Article 33(1)-(4) **\$100.00**

ENTER APPROPRIATE BASIC FEE AMOUNT =**CALCULATIONS PTO USE ONLY**

\$ 710.00

\$ 130.00

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☒ 30
months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	13 - 20 =		x \$18.00	\$ 0.00
Independent claims	1 - 3 =		x \$84.00	\$ 0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	\$
TOTAL OF ABOVE CALCULATIONS =				\$ 840.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$
SUBTOTAL =				\$ 840.00
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$
TOTAL NATIONAL FEE =				\$ 840.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$
TOTAL FEES ENCLOSED =				\$ 840.00
				Amount to be refunded: \$
				charged: \$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re National Phase Entry Application into the United States (DO/EO/US) of:

Applicants : Zhu, Xiaoxun et al.
Assignee : Metrologic Instruments, Inc.
International Application
Serial No. : PCT/US00/15624
International Filing Date : June 7, 2000



Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

TRANSMITTAL LETTER ACCOMPANYING
FILING UNDER 35 U.S.C. 371

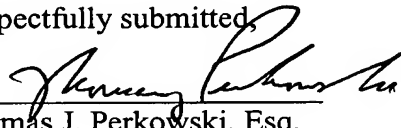
Sir:

Transmitted herewith please find the following documents in connection with the above
referenced International Application s National Phase entry into the United States
Designated/Elected Office:

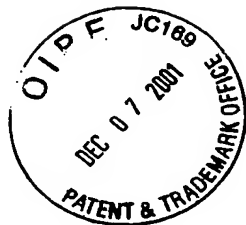
- Transmittal Letter To The United States Designated/Elected Office (DO/EO/US)
Concerning A Filing Under 35 U.S.C. 371;
- Preliminary Amendment;
- One Hundred Sixteen (116) Sheets of Formal Drawings;
- Copy of Published International Application PCT/US00/15624, Publication No. WO
00/75856;
- Copy of Written Opinion;
- Copy of Reply to Written Opinion;
- Copy of International Preliminary Examination Report;
- Copy of Notification Of Receipt Of Demand;
- Copy of Chapter II Demand;
- Copy of Chapter I Request;
- TJP, Esq., P.C. Check No. 2564 in the amount of \$840.00; and
- Certificate of Express Mail (No. EL725351072US) under C.F.R. 1.10 dated
December 7, 2001

Dated: December 7, 2001

Respectfully submitted,


Thomas J. Perkowski, Esq.
Reg. No. 33,134
Attorney For Applicants
Thomas J. Perkowski, Esq., P.C.
Soundview Plaza
1266 East Main Street
Stamford, Connecticut 06902
203-357-1950
<http://www.tjpatlaw.com>

10/009368



CERTIFICATE OF EXPRESS MAIL
UNDER 37 C.F.R. 1.10

I hereby certify that this correspondence is
being deposited with
the United States Postal Service
on December 7, 2001
as Express Mail (No. EL725351072US)
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(alternative to the address set out in 37 C.F.R. 1.1 and 37 C.F.R. 1.10;
Emergency Address for USPTO mail due to
November 16, 2001 suspension of "Express Mail" Service of USPS
for mail addressed to ZIP Codes 202xx through 205xx)

Mailer: Nancy Short
Dated: December 7, 2001

THE UNITED STATES PATENT AND TRADEMARK OFFICE
IN THE RECEIVING OFFICE THEREOF

In re Application of:

Applicant	:	Metrologic Instruments, Inc. et al.
International Application No.	:	PCT/US00/15624
International Filing Date	:	June 7, 2000
Title of Invention	:	UNITARY PACKAGE IDENTIFICATION AND DIMENSIONING SYSTEM EMPLOYING LADAR-BASED SCANNING METHODS
Attorney Docket No.	:	108-085PCT000
Authorized Officer of PCT Appln.:		Jeannette Washington

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

REPLY TO WRITTEN OPINION

SIR:

Applicant submits herewith the following remarks in reply to the Written Opinion mailed in the International Application on February 28, 2000.

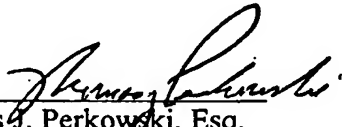
Applicant has amended the Claims under Article 34(2)(b) in order to clearly define over the prior art and avoid any basis for rejection on formal grounds under the PCT Rules.

Applicant believes that U.S. Letters Patent 5,080,456 to Katz, U.S. Letters Patent 5,555,090 to Schmutz and U.S. Letters Patent 5,656,799 to Ramsden, singularly, and in combination with each other, fail to disclose, teach, or otherwise suggest the claimed invention as defined by the amended Claims.

In view of the remarks set forth above, Applicant respectfully request favorable consideration.

Respectfully submitted,

Dated: April 30, 2001

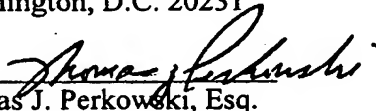


Thomas J. Perkowski, Esq.
Reg. No. 33, 134
Attorney for Applicants
Thomas J. Perkowski, Esq., P.C.
Soundview Plaza
1266 East Main Street
Stamford, Connecticut 06902
203-357-1950
<http://www.tjpatlaw.com>

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Thomas J. Perkowski, Esq.

Dated: April 30, 2001